

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANDREW E. JENNINGS,

Defendant.

8:06CR43

ORDER

Defendant Andrew E. Jennings appeared before the court on October 23, 2018, on a Petition for Offender Under Supervision [110]. Defendant was represented by Assistant Federal Public Defender Jeffrey L. Thomas, and the government was represented by Assistant U.S. Attorney Christopher L. Ferretti. The government moved for detention, and a detention hearing and preliminary hearing were set for October 25, 2018. On that date, Defendant was represented by Assistant Federal Public Defender Michael F. Maloney, and the government was represented by Assistant U.S. Attorney Christopher L. Ferretti. Without objection, the court received evidence consisting of government's Exhibits 1-3 and the parties' proffers and heard argument as to both probable cause and detention.

Defendant conceded probable cause as to allegation 2 of the Petition. The record supports a finding of probable cause as to allegation 1. Defendant failed to meet his burden to establish by clear and convincing evidence that he will not pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). I find that Defendant should remain in custody and answer for a final dispositional hearing before Senior Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on November 21, 2018, at 2:00 p.m. Defendant must be present in person;
2. Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 25th day of October, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge